

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SAMUEL ALLEN NALDRETT,

Defendant.

CR 20–42–M–DLC

ORDER

Defendant Samuel Allen Naldrett has filed his trial brief in this matter. (Doc. 30.) In his brief, Mr. Naldrett contends that: (1) the United States Supreme Court’s holding in *Rehaif v. United States*, 139 S.Ct. 2191 (2019) has impacted the knowledge element in 18 U.S.C. § 922(a)(6) prosecutions; and (2) he is entitled to rely on the affirmative defense of entrapment by estoppel. (*Id.*) To this end, Mr. Naldrett has submitted two proposed jury instructions. (Docs. 28 at 3–4; 31 at 3–4.) The Court finds a response from the United States on these issues is warranted.

Accordingly, IT IS ORDERED that on or before January 13, 2021, the United States shall file a response to Mr. Naldrett’s trial brief (Doc. 30), addressing the contentions raised therein.

DATED this 4th day of January, 2021.

A handwritten signature in blue ink, reading "Dana L. Christensen". The signature is written in a cursive style with a large initial "D".

Dana L. Christensen, District Judge
United States District Court